

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF VIRGINIA**  
**ALEXANDRIA DIVISION**

Ascentech Pty Ltd as Trustee for The Smith	)	
Family Trust	)	
	)	
Plaintiff,	)	Civil Action No.:
	)	1:19-cv-00100-LMB-IDD
	)	
v.	)	
	)	
Ascora GmbH	)	
	)	
Defendant.	)	
	)	

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**JOINT MOTION FOR ENTRY OF FINAL CONSENT JUDGMENT**

The parties to this action have reached a settlement of this dispute and, by their respective counsel, hereby jointly move the court for entry of the attached Final Consent Judgment.

This is a civil action for review of a decision of the Trademark Trial and Appeal Board issued on October 28, 2018. The proposed Judgment requires the USPTO to reverse in part its decision and to allow Plaintiff Ascentech's two applications to proceed to registration with a narrowed identification of goods as set forth in paragraph 3 of the Judgment.

The parties have modeled the proposed Final Consent Judgment on a judgment entered by the United States District Court for the Northern District of Alabama in *Board of Trustees of the University of Alabama v. Houndstooth Mafia Enterprises LLC*, 163 F.Supp.3d 1150 (N.D. Ala. 2016), a case involving a district court review of a TTAB decision.

By: /s/ H. Jay Spiegel  
(by Jordan S. Weinstein  
with authorization from H. Jay Spiegel)  
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*Counsel for Ascora GmbH*

Dated: September 23, 2019